

# Exhibit 23



Daniel Szalkiewicz <daniel@lawdss.com>

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## Doe v. Sebrow

1 message

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**Daniel Szalkiewicz** <daniel@lawdss.com>

Tue, Jun 20, 2023 at 10:35 AM

To: Ira W Heller <iwhelleresq@gmail.com>

Cc: Abraham Borenstein <avib@bmclawyers.net>, Cali Madia <cali@lawdss.com>

Mr. Heller,

Please see the attached letter.

Very Truly Yours,

Daniel S. Szalkiewicz, Esq.

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June 20, 2023

**Via E- Mail Only (iwhelleresq@gmail.com)**

Ira Heller Law, LLC.  
Attn: Ira Heller, Esq.  
1317 Morris Avenue  
Union, New Jersey 07083

***Re: John Doe v. Baila Sebrow***  
***United States District Court, District of New Jersey***  
***Case No.: 2:21-cv-20706***

Dear Mr. Heller,

I am writing concerning your most recent motion that was filed with the Federal Court in the above-referenced matter. I am sending you this first as a courtesy prior to altering the court and with the hope this issue can be finally put to rest.

On Friday, June 16, 2023, you filed a notice of motion, devoid of any legal arguments. Putting aside the procedural impropriety and the many misstatements of fact, on June 19, 2023, at 11:18 P.M. you filed what purports to be a brief in support of your motion. Upon review of the brief, I found that the bulk of it is not only inapplicable to this matter but is largely plagiarized from three articles found online.

The arguments contained within the plagiarized articles are not applicable to this case and are meritless. The case law contained therein barely touches on the precedent binding upon the Third Circuit and contains wholly irrelevant citations. At one point you even cite the Middle District of Florida Discovery Handbook. How does that concern the District Court of New Jersey? Some of the arguments you plagiarized are not even properly attributed to their source. None of the cases you cite comprehend the default your client was in for failing to comply with previous ESI discovery orders. More so, while the entire legal argument section is plagiarized, you do not even bother to tie the plagiarized portions into any factual arguments.

This conduct is unacceptable. My client is prepared to vigorously defend this frivolous motion if need be and will request once again the costs associated with this defense, including attorney fees. Prior to Plaintiff incurring more attorney fees, demand is made that you do the following:

1. Immediately withdraw the motion;
2. Contact our office today to schedule a time this week when Sebrow can have her devices imaged in person; and
3. Schedule a time on or before June 21, 2023 for the remote collection of Sebrow's data to begin with iDS.

DS & A

June 20, 2023

Page 2

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If I do not hear from you by 5:00 P.M. today, I will assume you intend to go forward with your motion. Thank you.

Very Truly Yours,

DANIEL SZALKIEWICZ & ASSOCIATES, P.C.



By: Daniel S. Szalkiewicz, Esq.

cc: Abraham Borenstein, Esq. (via email)